

REMARKS

Favorable reconsideration is respectfully requested.

The claims are 15 to 27.

The above amendment presents a new set of claims wherein:

New claim 15 replaces previous claim 1 including the subject matter of claims 12 and 14, so that the thickness of each of the layer of the hydrogen-absorbing alloy and fluorinated surface layer of the hydrogen-adsorbing alloy is within the range respectively specified in these claims.

Claims 16 to 26 are based on previous claims 2 to 12, respectively.

New claim 27 is based on previous claim 14.

All claims ultimately depend on claim 15.

The significance of this amendment will become further apparent from the remarks below.

Claims 1 to 8 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee et al. (U.S. 5,599,640) in view of Sawa et al. (U.S. 6,030,724).

This rejection does not involve claims 12 or 14 and is thus irrelevant to the present claims which all recite the thickness features of claims 12 and 14.

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lee et al. in view of Sawa et al. as applied to claims 1 to 8 and 10 above, and further in view of Narayanan et al. (U.S. 6,485,851).

This rejection is also irrelevant to the present claims since it does not involve claims 12 and 14.

Claims 11, 12 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee et al. in view of Sawa et al. as applied to claims 1 to 8 and 10 above, and further in view of Wang et al. (*J. Alloys and Compounds*, 1999).

This rejection is respectfully traversed.

While recognizing that the references are silent on the presently recited feature that the alloy is fluorinated in the surface layer only, the rejection asserts that this limitation may be a routine manipulation of a skilled artisan. In reply, the thickness of the fluorinated surface layer is now recited as a specified range. In consequence, a

particular advantage can be obtained thereby in the electromechanical working efficiency of the negative electrode.

This is because the electric conductivity of the hydrogen absorbing alloy is decreased by fluorination, and hence the overall conductivity of the negative electrode having a fluorinated surface layer is disadvantageously decreased when the fluorinated surface layer has too large a thickness, resulting in a decrease of the electrode efficiency.

This disadvantage can be minimized if the thickness of the fluorinated surface layer is within the range specified in claim 14 without decreasing the advantages to be obtained by fluorination of the alloy.

This novel and unique finding is not only unobvious over the references but also cannot be characterized as a routine manipulation of an artisan, irrespective of his skill.

No further issues remaining, allowance of this application is respectfully requested.

If the Examiner has any comments or proposals for expediting prosecution, please contact undersigned at the telephone number below.

Respectfully submitted,

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